

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

22 WRIT PETITION NO.6487 OF 2019

JANKALYAN VIKAS MANDAL THROUGH PRESIDENT
VERSUS
ALL INDIA COUNCIL FOR TECHNICAL EDUCATION AND OTHERS

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Advocate for Petitioners : Mr. Deshmukh Sachin S.
Advocate for Respondents : Mr. S.V. Adwant for R/1 & 2.
Advocate for Respondents : Mr. K.M. Suryawanshi for R/6

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**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 12.06.2019

PC. :-

The petitioner assails the order passed by the University whereby the petitioner is directed not to admit students.

2. The petitioner is granted approval to admit 45 students for the D.Pharmacy course for the academic year 2019-2020 by the A.I.C.T.E. in fact whether to place an institution in no admission category or otherwise is the prerogative of A.I.C.T.E. Of course the University is entitled to consider the grant or refusal of affiliation. According to the learned advocate for the University the deficiency is existing. Earlier temporary affiliation was only granted, though the order does not suggest that affiliation is withdrawn, in fact the decision was taken in the meeting of the affiliation committee.

3. However, the order does not depict about withdrawal of the affiliation it only says that the students shall not be admitted.
4. As observed (supra) to place an institute in the order of no admission category is the prerogative of the A.I.C.T.E.
5. The University may take decision with regard to the affiliation / continuation of affiliation of the petitioner-institution on its own merit after considering its report and the say of the petitioner about removal of deficiencies. The same may be done within fifteen days from today. Writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]